

**MINUTES OF THE MEETING  
OF THE CITY OF SEAFORD  
PLANNING AND ZONING COMMISSION**

7:00 p.m.

April 6, 2017

Chairman Wayne Sammons, called the meeting to order with the following Commission members in attendance: John Leverage, Thomas A. Temple, Jr, Matthew Shaffer, E. B. Peterson, Mark Grasset, Elizabeth Jenkins and Stacie Spicer; Charles D. Anderson, Assistant City Manager was also present.

Chairman Sammons turned the meeting over to Assistant City Manager Anderson.

Assistant City Manager Anderson presented the first item on the agenda. He stated that the City of Seaford is the owner and applicant on behalf of Better Homes of Seaford for a preliminary site plan review for Herring Ridge, a senior housing complex to be located west of Bridgeville Hwy. east of Hampton Circle.

Assistant City Manager Anderson explained the project is a preliminary site plan review of Herring Ridge. He introduced Mr. William Roupp, Executive Director of Better Homes and Mr. Robert Rollins, Moonlight Architecture who were present to answer questions related to the project.

Assistant City Manager Anderson provided an overview of the history of the project. The project is located on 6.25 acres of land on the west side of Bridgeville Hwy. The City owns the land which was formally part of the Ross Business Park. The original subdivision was for 12 acres, and the land was to be developed by Better Homes of Seaford, Inc. in phases. The site plan for Herring Ridge shows thirty-four – one bedroom units and a community center. The entrance to this phase is off Independence Drive, with a cul-de-sac and no interconnection to Bridgeville highway. The property is zoned R-3 High Density Residential and conforms to the area and bulk requirements of the district. Sixty-eight parking spaces are provided as required by code. The exterior of the proposed buildings will have a similar appearance to the existing units. Storage units will be added at the end of each building. Mr. Rollins noted all buildings will be sprinklered as per the new regulations.

Chairman Sammons asked if Ross St. served Hampton Circle. Assistant City Manager Anderson said no, it isn't being developed, it's a paper street. Assistant City Manager Anderson added Independence Drive was planned to be extended into the new development as part of the planning for prior phases of development. A brief discussion occurred related to only proposing one entrance into the site and that no entrance from Bridgeville Highway was included. The explanation cited was an entrance would create a dangerous condition due to the severe grade change and the curve in the roadway which could limit visibility. It was noted this is the final phase proposed by Better Homes of Seaford, Inc. Assistant City Manager Anderson also noted that the City has an overhead pole line and water, sewer facilities within the general vicinity of the site that will service the proposed development.

Chairman Sammons asked what qualifies a person to be eligible to live at Herring Ridge. Mr. Roupp explained they must be low income and 62 year of age or older. He cited that there is a need for higher quality low income housing. Chairman Sammons asked if all the units were handicap accessible. Mr. Rollins commented that all units proposed for this phase are adaptable for handicap accessibility. Mr. Roupp noted each building has one handicap unit. Mr. Leverage asked if there were restrictions or rules on children living in the units. Mr. Roupp said it is possible to have someone 62

or older to have a younger person residing with them. There is no real sleeping space for more than two people however.

Chairman Sammons asked if there were any more questions from the Commission; there being none he asked if there were questions from the public. No one came forward so Chairman Sammons requested that Assistant City Manager Anderson present the Findings of Facts:

**Agenda item #1**

**Findings of Facts:**

- Project: Herring Ridge
- Current land owners: City of Seaford
- Land purchasers: Better Homes of Seaford, Inc.
- Zoning: R-3 High Density Residential
- Preliminary site plan review for a senior housing complex consisting of 34 – 1 bedroom apartments; community center
- Parking spaces provided: 68 as required by Code
- Tax Map & Parcel 331-5.00-4.24
- Property is located on Bridgeville Highway
- This project will comply with the area and bulk requirements of the zoning district.
- Project requires approval from:
  - Sussex Conservation District
  - Office of the State Fire Marshal
  - City's Engineer for Stormwater Management review

Chairman Sammons called for a motion on the preliminary site plan of Herring Ridge.

Mr. Peterson made the motion to recommend approval of the preliminary site plan for Herring Ridge as presented and described. Mr. Temple seconded the motion.

**ROLL CALL VOTE:**

Mark Grasset stated he approved based on the Findings of Facts;  
Elizabeth Jenkins stated she approved based on the Findings of Facts;  
Thomas A. Temple, Jr. stated he approved based on the Findings of Facts;  
John Leverage stated he approved based on the Findings of Facts;  
E. B. (Rick) Peterson stated he approved based on the Findings of Facts;  
Matthew Shaffer stated he approved based on the Findings of Facts; and,  
Stacie Spicer stated she approved based on the Findings of Facts.

Chairman Sammons stated motion so passed with all present voting in favor. The Council will review the Commission's recommendation at the April 25, 2017 Regular Council meeting.

Assistant City Manager moved on to Agenda Item #2, the preliminary site plan review requested by Bierman Family LLC on behalf of Cerwin, LLC. The site is located at 1602 Middleford Road, where the Tom and Jerry Auto Shop is currently located; the building was originally a SHELL service station. The site is proposed to have access on both Middleford Road and Sussex Highway. The new building will be a fast food restaurant with drive-thru. Assistant City Manager Anderson introduced Mr. Chad Cartor, landscape architect with Solutions IPEM, LLC. Assistant City Manager noted the proposed building is 2866 sq. ft. The property is zoned C-2 Highway Commercial District and was annexed into the City in February 2017. The site is .931±acres. Thirty-three parking spaces will be provided; only

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twenty six are required by code. The project will require approvals from the State Fire Marshall's Office, DeIDOT, Office of Drinking Water; Sussex Conservation District and DHSS for food services. The storm water design is in the early stages. It is going through an exemption process because they added very little impervious surface to the site vs. the existing. There will be catch basins on site with an outfall to Williams's pond. The parcel is contiguous to Popeye's and Dairy Queen. Chairman Sammons asked the location of the nearest City water main connection. Assistant City Manager Anderson stated that the City water main is on Middleford Road, there is a fire hydrant near the site. Assistant City Manager Anderson explained that a sewer manhole is located in front of Dairy Queen. The City's engineer is designing the sewer extension that will serve them under the highway, run in front of True Blue and across Middleford Road to the site. Chairman Sammons asked if the City pays for this work. Assistant City Manager stated the developer pays for tap and impact fees; the development pays a share of the project costs.

Chairman Sammons asked how the new building compared in size to the existing building. Mr. Cartor said the new building is about 2800 sq. ft.; the existing building is about 1800 sq. ft.; an increase in about 1000 sq. ft. Chairman Sammons asked what will happen to the existing aged building; he is concerned with its disposition. Assistant City Manager felt the owner would be the person to ask this question. Chairman Sammons said he would like to have an answer when the final review is presented.

Mr. Leverage is concerned with traffic flow in and out of the site. He foresees people coming out of the site, weaving across traffic to make a left turn onto Sussex Highway to head north; and also vehicles crossing lanes on Middleford Road to head north and south on Sussex Hwy. Assistant City Manager Anderson agreed it was a challenging location. Mr. Cartor stated that the entrance from Sussex Highway is proposed to be rights in only and no exit. The plans were submitted to DeIDOT but they have a 42-day turnaround time with the Subdivision Dept. This is only a preliminary plan, we'll have to wait for DeIDOT to determine what the ultimate entrance design will be based on their recommendations. The final site plans submitted for review/approval will show the egress/ingress design; additional information will be brought at that time for the Commission's review.

Mr. Shaffer asked when the current occupants of the building will be moving out. Assistant City Manager Anderson said he wasn't certain of the date.

Chairman Sammons asked the Commission had any more comments. There being none, he called for public comments. Again, there were no questions from the public. Chairman Sammons called for the Findings of Facts.

Findings of Facts:

- Project: Burger King Restaurant
- Current land owners: Bierman Family, LLC
- Developer: Cerwin Holdings, Inc
- Zoning: C-2 Highway Commercial
- Preliminary site plan review for a fast food restaurant.
- Parking spaces provided: 33
- Parking spaces required by Code: 26
- Tax Map & Parcel 331-5.00-101
- Property is located at 1602 Middleford Road
- This project will comply with the area and bulk requirements of the zoning district.
- Project requires approval from:

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- Sussex Conservation District
- Office of the State Fire Marshal
- Office of Drinking Water
- DELDOT
- DHSS – Food Service

Chairman Sammons called for a motion.

Mr. Peterson made a motion to recommend approval of the preliminary site plan with a request that the next review have clear design for vehicle ingress/egress. Mr. Temple seconded the motion.

**ROLL CALL VOTE:**

Mark Grasset stated he approved based on the Findings of Facts;  
Elizabeth Jenkins stated she approved based on the Findings of Facts;  
Thomas A. Temple, Jr. stated he approved based on the Findings of Facts;  
John Leverage stated he approved based on the Findings of Facts;  
E. B. (Rick) Peterson stated he approved based on the Findings of Facts;  
Matthew Shaffer stated he approved based on the Findings of Facts; and,  
Stacie Spicer stated she approved based on the Findings of Facts.

Chairman Sammons stated the Commission voted unanimously in favor of the motion.

Chairman Sammons called for a motion to adjourn the meeting, Mr. Peterson so moved; Mrs. Spicer seconded the motion. Motion was unanimous to adjourn.

Chairman Sammons adjourned the meeting at 7:35 p.m.

By: 

Wayne Sammons  
Chairman Planning and Zoning Commission

/wjp